REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks and attachments herein.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 14-22 are now pending. Claim 22 has been amended, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.

No new matter is added.

It is submitted that these claims are and were in full compliance with the requirements of 35 U.S.C §112. In addition, the amendment and remarks herein are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112; but rather the amendments and remarks herein are made simply to round out the scope of protection to which Applicant is entitled.

II. THE OBJECTIONS TO THE CLAIMS ARE OVERCOME

Claim 22 was objected to for failing to include the word "method". It is respectfully asserted that the amendment herein has corrected this informality. Accordingly, reconsideration and withdrawal of the objection is respectfully requested.

III. THE REJECTIONS UNDER 35 U.S.C. §112 ARE OVERCOME

The June 7, 2005 Office Action stated that claims 14-15, 17 and 19-22 were rejected under 35 U.S.C. §112, first paragraph because the specification allegedly does not provide enablement for all compounds which inhibit the reductase activity of 11-Beta-hydroxysteroid dehydrogenase in general. Applicants respectfully traverse.

Specifically, the Office Action states that only one compound is identified in the specification that could be used by the skilled artisan to practice the invention and that other such compounds are lacking. In addition, the Office Action stated that the Declarations of Brian R. Walker and Jonathan R. Seckl had been considered, but were not sufficient to demonstrate that numerous compounds that are known inhibitors of 11 beta-hydroxysteroid dehydrogenase are well known to those of skill in the art. Applicants respectfully disagree with this statement and

request that the Examiner reevaluate his stance on the declarations, in view, *inter alia*, of his reliance on the declarations in related and copending application U.S.S.N. 10/080,875.

For instance, U.S.S.N. 10/080,875, was subject to similar enablement rejections which stated that the specification described a single compound, and that knowledge of other such compounds was lacking in the specification and to those of skill in the art. Applicants filed a Declaration by Brian R. Walker and Jonathan R. Seckl, which stated that numerous compounds that are known inhibitors of 11 beta-hydroxysteroid dehydrogenase are well known to those of skill in the art, and which was identical to the Declaration filed in the instant application in the substantive statements therein, the filing of which resulted in withdrawal of the enablement rejections under 35 U.S.C. §112 in U.S.S.N. 10/080,875.

The Examiner is respectfully invited to review the previously filed Declaration as Applicants believe the Declaration successfully overcomes the enablement rejection.

Claims 14-15, 17 and 18-22 were rejected under 35 U.S.C. §112, second paragraph, as allegedly failing to particularly point out and distinctly claim the subject matter of the invention. The rejections are respectfully traversed.

Specifically, claims 14-15 , 17 and 18-22 were rejected because one of skill in the art would be unable to deduce what compounds other than carbenoxolone could be used in the practice of the present invention. The Examiner is respectfully invited to review the previously filed Declaration as Applicants believe the Declaration successfully overcomes this rejection.

Claims 14 and 21 were also rejected as omitting essential steps due to the omission of any active agent. Applicants respectfully disagree. Again, the Examiner is respectfully invited to review the previously filed Declaration as Applicants believe the Declaration successfully overcomes this rejection.

In view of the remarks above, reconsideration and withdrawal of the rejections under 35 U.S.C. §112 is respectfully requested.

II. THE ART REJECTIONS ARE OVERCOME

Claims 14-20 are rejected under 35 U.S.C. § 102(b), as being anticipated by Stewart et al. Claims 14-20 are rejected under 35 U.S.C. § 102(b), as being anticipated by Walker et al. And, claims 21-22 are rejected under 35 U.S.C. § 103(a), as being unpatentable over Walker et al. in view of Goodman and Gilman, pages 1463-1473. The rejections are traversed and will be

addressed collectively.

Applicants respectfully disagree with the characterizations of the references and would appreciate the opportunity to discuss the references with the Examiner during a personal interview.

III. THE DOUBLE PATENTING REJECTIONS ARE OVERCOME

Claims 14-20 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 15 of copending Application No. 10/061,044, and claims 14-17 of copending Application No. 10/080,875. As this is only a provisional rejection, Applicants respectfully request that the rejection be held in abeyance until such time as allowable subject matter is otherwise determined. Accordingly, reconsideration and withdrawal of the double patenting rejections is respectfully requested.

REQUEST FOR INTERVIEW

If any issue remains as an impediment to allowance, an interview with the Examiner is respectfully requested, prior to issuance of any paper other than a Notice of Allowance; and, the Examiner is respectfully requested to contact the undersigned to arrange a mutually convenient time and manner for such an interview.

CONCLUSION

In view of the amendments and remarks herewith, it is respectfully submitted that the application is now in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance, or an interview at a very early date with a view to placing the application in condition for allowance, are earnestly solicited. The undersigned looks forward to hearing favorably from the Examiner at an early date.

Respectfully submitted,
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